



**HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA**

MONDAY

JUNE 18, 2018

7:00 P.M.

6:00 p.m. – Finance & Administration Committee

- A. OATH OF OFFICE FOR COUNCILOR – ELECT SHELBY WRIGHT – *administered by Town Clerk Paula Scott*
- B. PLEDGE OF ALLEGIANCE
- C. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. SECRETARY'S REPORTS
 - a. None
 - 3. COMMUNICATIONS
 - a. Notification of the decision on the Service Charge appeal
 - 4. REPORTS
 - a. Finance Committee Minutes – May 21st, 2018
 - b. Infrastructure Committee Minutes – None
 - c. Planning & Development Committee Minutes – None
 - d. Services Committee Minutes – None
 - e. Council Budget Work Session Minutes – None
- D. PUBLIC COMMENTS
- E. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - 2. PUBLIC HEARINGS

NOTE: The Council will take a 5-minute recess at 8:00 pm.

- a. Consideration of the proposed Zoning Ordinance amendments—
referred by Town Council on June 4th
- b. Consideration of the Town Council's proposed FY19 budget, including
Sewer Budget and Capital Improvement Program – *referred by Town
Council on June 4th, 2018*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Election Results for the June 12th election

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- a. Request for authorization for the expenditure of \$15,871 from the
Recreation Area Reserve account (3-767-00) for the purpose of repair
to the outdoor basketball courts at VFW drive – *referral from Finance &
Administration Committee*
- b. Request for authorization for the expenditure of \$3,651 from the
Recreation Area Reserve account (3-767-00) for the purpose of crack
repair to the VFW tennis courts – *referral from Finance &
Administration Committee*
- c. Request for authorization for the expenditure of \$1415.85 from the IT
Computer Reserve account (3-711-00) for the purpose of purchasing a
Surface Pro tablet for the Town Manager – *referral from Finance &
Administration Committee*
- d. Town Council referral to public hearing for July 2, 2018 amendments to
the Town of Hampden Fees Ordinance for applications for conditional
use to reflect proposed amendments to the Zoning Ordinance – *referral
from Finance & Administration Committee*

F. COMMITTEE REPORTS

G. MANAGER'S REPORT

.....
MONDAY
.....

MAY 21st, 2018

7:00 P.M.
.....

H. COUNCILORS' COMMENTS

I. ADJOURNMENT

STATE OF MAINE
PENOBSCOT, ss.

SUPERIOR COURT
DKT. NO. AP-17-14

ACADIA HOSPITAL CORP.,

Plaintiff,

v.

TOWN OF HAMPDEN,

Defendant.

ORDER ON RULE 80B APPEAL

Before the Court is Plaintiff Acadia Hospital Corporation's M.R. Civ. P. 80B appeal of the Town of Hampden Board of Assessment Review's (the "Board") May 4, 2017 decision denying Acadia's appeal of a requested exemption from a service charge assessment. On August 17, 2017, the Court remanded the matter back to the Board because it found the record and decision to be too sparse for appellate review. The Board reconvened on October 24, 2017, and issued its revised decision on that same day. For the reasons stated below, the decision of the Board to deny the exemption from the service charge is **REVERSED**.

BACKGROUND

Acadia owns the property subject to this Rule 80B appeal; the property is located at 25 Mayo Road in Hampden. (R. 4.) Acadia leases the property to Sweetser, a Maine non-profit corporation. (R. 6.) The property is exempt from property taxes. (R. 6.) Sweetser provides "family-centered residential treatment services" for children. (R. 6.) The children who reside at the property reside there full time. (R. 7.) Every child who is a resident there attends Sweetser's private, special education school in Belfast. (R. 7.)

On October 20, 2016, the Hampden Town Manager informed Acadia that it would be imposing a service charge, pursuant to the Town's Service Charge Ordinance (the "Ordinance")

that was enacted pursuant to 36 M.R.S. § 652(1)(L),¹ for the 2016/2017 fiscal year on its property. (R. 4.) Acadia appealed that service charge in December 5, 2016. (R. 5.) On April 20, 2017, the Board heard Acadia's appeal of the imposition of the service charge. (R. 8.) The Board issued its first decision on May 4, 2017, which upheld the imposition of the service charge. (R. 8-9.)

Acadia then filed its Rule 80B appeal to this Court on June 5. This Court's Order remanding the case back to the Board was signed on August 17 and docketed on September 9. The Court determined that the record was too sparse to review and the Board's decision was inadequate because it did not address the issue the Board was faced with: whether the property was used for student housing. On October 24, the Board reconvened. (Supp. R. 5.) There was no new evidence presented at the hearing; instead, the parties debated how to best address the Court's concerns. (Supp. R. 15.) The Board issued its amended decision following the hearing on October 24 in which it again upheld the imposition of the service charge against Acadia. (Supp. R. 42-45.)

STANDARD OF REVIEW

The Court reviews the Board's decision "for error of law, abuse of discretion or findings not supported by substantial evidence in the record." *Yates v. Town of Southwest Harbor*, 2001 ME 2, ¶ 10, 763 A.2d 1168 (quotation marks omitted). The party seeking to overturn the decision bears the burden of persuasion. *Sawyer Envtl. Recovery Facilities, Inc. v. Town of Hampden*, 2000 ME 179, ¶ 13, 760 A.2d 257. "The interpretation of a local ordinance is a question of law, and we review that determination de novo." *Logan v. City of Biddeford*, 2006 ME 102, ¶ 8, 905 A.2d 293 (quotation marks omitted).

The Court examines the ordinance for its plain meaning and construes its terms reasonably in light of the purposes and objective of the ordinance and its general structure. *Stewart v. Town*

¹ The provision has since moved to 36 M.R.S. § 508. See P.L. 2007, ch. 627, § 12; see also L.D. 2154, § 12 & Summary, § 2, at 36 (123rd Legis. 2008).

of *Sedgwick*, 2002 ME 81, ¶ 6, 797 A.2d 27. However, if an ordinance is clear on its face, the Court will look no further than its plain meaning. *Rudolph v. Golick*, 2010 ME 106, ¶ 9, 8 A.3d 684. Local characterizations or fact-findings as to what meets ordinance standards may be accorded “substantial deference.” *Id.* ¶ 8.

DISCUSSION

This case comes down to a plain meaning interpretation of Hampden’s Ordinance that was passed pursuant to the statutory authorization in Title 36. Acadia argues that the Board erred as a matter of law in its interpretation of the Ordinance, which led it to uphold the imposition of the service charge on Acadia. (Pl.’s Br. 14.) Hampden argues that the Board did no more than correctly interpret the Ordinance and properly deny Acadia’s appeal of the service charge. (Def.’s Br. 6.)

Hampden’s Ordinance was enacted pursuant to the statutory authority of 36 M.R.S. § 652(1)(L) (since moved as detailed in Footnote 1, *supra*). (R. 1.) The statute permits “[a] municipality [to] impose service charges on the owner of residential property, other than student housing or parsonages, that is totally exempt from taxation under section 652 and that is used to provide rental income,” and further states that “[m]unicipalities shall adopt any ordinances necessary to carry out the provisions of this section.” 36 M.R.S. § 508(1), (3). In turn, Hampden enacted the Ordinance that states as follows: “The service charge shall be levied by the municipal officers against all residential property owned by an organization or institution if the property is otherwise totally exempt from property taxation and is used to provide rental income. The service charge shall not apply to student housing or parsonages.” (R. 1.) The Court concludes that the Ordinance is clear on its face and needs to look no further than the plain meaning.

The Ordinance (by way of the statutory authorization) essentially breaks down into five elements: (1) the property must be residential property; (2) it must be owned by an organization or institution; (3) the property must be otherwise totally exempt from property taxation; (4) the property must be used to provide rental income; and (5) even if the first four elements are met, the service charge may not be imposed when the property is used for student housing or a parsonage. The Board made all the necessary factual findings to fit a plain meaning interpretation of the Ordinance, but then construed it beyond its plain meaning to find the service charge applicable. By way of illustration, the Board found that (1) the property is residential property (Supp. R. 43-44, Findings of Fact 5, 14.); (2) the property is owned by an organization or institution (Supp. R. 43, Finding of Fact 1.); (3) the property is otherwise totally exempt from property taxation (Supp. R. 43, Finding of Fact 7.); (4) the property is used to provide rental income (Supp. R. 43, Findings of Fact 4, 11.); and (5) the residents who live at the property are students who attend the Sweetser School in Belfast. (Supp. R. 44, Findings of Fact 15-16.).

However, the Board then went on to interpret the “student housing” exception “to mean housing that is *incidental to and necessitated by a person’s chief occupation*, specifically being a student” (Supp. R. 45, Conclusion 6 (emphasis added).) The plain meaning of “student housing” is broader and does not indicate such a constrained definition. “Student housing” means exactly what it appears to mean: it evinces an image of somewhere where someone, who is a student, lives. Indeed, the dictionary definitions of “student” and “housing” support this conclusion.² A “student” is defined as “[o]ne who attends a school, college, or university.” *The*

² The use of dictionaries to determine the plain meaning of undefined terms is common practice. *See, e.g., Apex Custom Lease Corp. v. State Tax Assessor*, 677 A.2d 530, 533 (Me. 1996) (“We often rely on the definitions provided in dictionaries in making this determination.”); *Rodriguez v. Town of Moose River*, 2007 ME 68, ¶¶ 32 & 35 n.5, 922 A.2d 484 (looking to the dictionary definitions of “public” and “public building”); *State Tax Assessor v. MCI Communs. Servs.*, 2017 ME 119, ¶ 14 & n.10, 164 A.3d 952 (looking to the dictionary definitions of “sale” and “price” to determine the plain meaning of “sale price”).

American Heritage Dictionary 1208 (1985). "Housing" is defined as "[r]esidences or dwelling places for people." *The American Heritage Dictionary* 625 (1985). Thus, it logically follows that "student housing" means a residence for those who attend school, which is exactly what children here, who reside at the Sweetser facility and attend the Sweetser School in Belfast, do. The children also receive mental health treatment while they are at the Sweetser facility in Hampden, but that does not negate the fact that they live at that facility and attend school as part of their treatment. The Court can discern no valid reason why one leasing tax-exempt residential property to a nonprofit that provides the narrower form of student housing would be entitled to the service charge exemption, but one leasing tax-exempt residential property to a nonprofit that provides the broader form of student housing that includes mental health treatment is not. Accordingly, the Board erred in interpreting the "student housing" exception so narrowly when its plain meaning is much broader.

CONCLUSION

The Court concludes that the Board erred as a matter of law in its interpretation of the Hampden Service Charge Ordinance, namely its overly narrow definition of "student housing" that is not mandated by the plain meaning of the Ordinance (by way of the statutory authorization in Title 36). The Board made all the necessary factual findings to meet a plain meaning reading of the Ordinance, thus the Court reverses the decision of the Board and enters judgment in favor of Acadia.

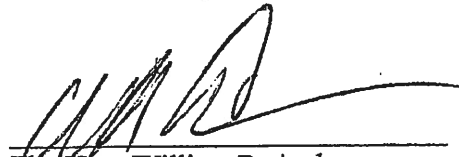
The entry is:

1. The Town of Hampden Board of Assessment Review's October 24, 2017 decision denying Acadia Hospital Corporation's appeal of a requested exemption from the October 20, 2016 service charge assessment is **REVERSED**, and judgment is entered in favor of Acadia Hospital Corporation.

2. The Clerk is directed to incorporate this Order into the docket by reference pursuant to M.R. Civ. P. 79(a).

Dated: _____

5/31/18


The Hon. William R. Anderson
Justice, Maine Superior Court

ACADIA V. HAMPDEN

The property is leased to sweetser so it is residential property (assuming residential means something like - for living in and not for business or occupation), it is tax exempt because it is owned by Acadia, and it is used to provide rental income to acadia.

Therefore, the only issue is whether it is used for student housing and if so, they can't collect the fee. This is a residential treatment facility in which the kids being treated are bussed to Belfast for school and otherwise stay primarily at the facility.

I don't see any detail on the record about this- do they eat there, there must be staff there including overnight staff, what about vacations and summer vacation- do they still stay there? Are any services, including counseling occur on site?

If one were to view "student housing" broadly or if ambiguities were construed against the tax assessing entity, then Acadia wins, otherwise perhaps not.

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday, May 21st, 2018

MINUTES

Hampden Town Office

Attending:

Councilor Terry McAvoy, Chair

Mayor Ivan McPike

Councilor Mark Cormier

Councilor Dennis Marble

Councilor David Ryder

Councilor Stephen Wilde

Town Manager Angus Jennings

Town Attorney Ed Bearor

Chairman McAvoy called the meeting to order at 6:00 p.m.

1. Meeting Minutes

- a. May 7th, 2018** – *There was a motion by Mayor McPike seconded by Councilor Marble to approve the minutes. Approved 6-0.*

- 2. Review & Sign Warrants** – *Warrants were not present so this item was passed over.*

- 3. Unfinished Business** – *None.*

4. New Business

- a. Executive Session – attorney-client consultation – pursuant to 1 MRSA § 405(6)(E)** – *There was a motion by Chairman McAvoy seconded by Mayor McPike to enter Executive Session for attorney-client consultation, to include the Town Manager and Town Attorney Ed Bearor. A voice vote was taken: Councilor Ryder, yes; Councilor Marble, yes; Councilor Wilde, yes; Councilor Cormier, yes; Mayor McPike, yes; Chairman McAvoy, yes. The Committee exited Executive Session at 6:36 p.m.*

- b. Executive Session – personnel matters – pursuant to 1 MRSA § 405 (6)(A)** – *There was a motion by Chairman McAvoy seconded by Mayor McPike to enter Executive Session to discuss personnel matters, to include the Town Manager and Town Attorney Ed Bearor. A voice vote was taken: Councilor Ryder, yes; Councilor Marble, yes; Councilor Wilde, yes; Councilor Cormier, yes; Mayor McPike, yes; Chairman McAvoy, yes. The Committee exited Executive Session at*

6:54 p.m.

- c. **Executive Session – attorney-client consultation – pursuant to 1 MRSA § 405(6)(E)** – *There was a motion by Chairman McAvoy seconded by Mayor McPike to enter Executive Session for attorney-client consultation, to include the Town Manager and Town Attorney Ed Bearor. A voice vote was taken: Councilor Ryder, yes; Councilor Marble, yes; Councilor Wilde, yes; Councilor Cormier, yes; Mayor McPike, yes; Chairman McAvoy, yes. The Committee exited Executive Session at 6:58 p.m.*
- d. **Recommend Council authorization for the expenditure of \$490.00 from the Environmental Trust, Principal for the purpose of reimbursement of eligible landfill post-closure monitoring expenses – referral from Environmental Trust Committee** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*
- e. **Recommend Council authorization for the expenditure of \$34,156.24 from the Environmental Trust, Income for the purpose of reimbursement of eligible stormwater management expenses – referral from Environmental Trust Committee** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*
- f. **Recommend award of the foreclosed property bid, for property located at 114 Old County Road, furthered identified as Map 10 Lot 15 on the Town of Hampden Tax Maps** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*
- g. **Request for Council authorization for the expenditure of an amount up to \$780.00 from the Personnel Reserve Account (3-733-00) for the purpose of offsetting costs associated with payroll expenses for a temporary part-time worker** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*
- h. **Review of the RSU 22 proposed budget for FY19 – referral from Council Budget meeting on May 14th** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*
- i. **Recommend appointment of James N. Chandler as Town Manager, effective June 7th, 2018** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*

- j. **Recommend appointment of James N. Chandler as Treasurer, effective June 7th, 2018** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*
- k. **Recommend acceptance of Manager Jennings' updated letter of resignation** – *Due to time constraints this item was passed over, to be taken up directly by the Town Council.*

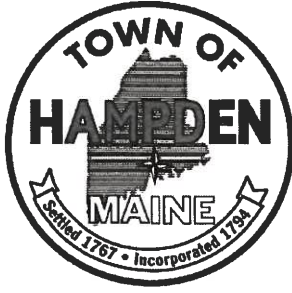
5. Public Comment – *None.*

6. Committee Member Comments – *None.*

7. Adjournment

There being no further business, the meeting was adjourned at 6:58 PM.

Respectfully submitted –
Angus Jennings, Town Manager



Town of Hampden
Land & Building Services

Memorandum

To: Town Council
CC: Planning Board
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: June 13, 2018
RE: Public Hearing on Zoning Ordinance Amendments

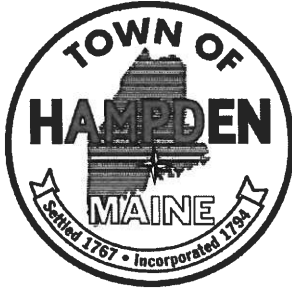
The proposed amendments to the Zoning Ordinance have been thoroughly reviewed by staff, the Planning Board (nine meetings plus a public hearing spanning two nights), and the Council's Planning & Development Committee, and are ready for public hearing by the Town Council tonight.

This project was begun nearly a year ago to address a number of issues in the ordinance, with the overall goal of making it more user-friendly. The key changes include:

- conversion of allowed use lists for each district to a use table
- conversion of separate dimensional requirement sections for each district to a dimensional table
- elimination of inconsistencies throughout the ordinance, especially in the use table
- reorganization to simplify finding applicable provisions
- creation of a three level site plan review process, reducing the number of applications that must go through public hearing
- creation of a new cluster housing section that makes it easier to understand and follow, and should encourage more use of this alternative development design option
- corrections to comply with state laws

The Town's web site (www.hampdenmaine.gov) includes a page devoted to this project; there you will find not only the proposed ordinance amendments and a summary of the amendments, but also a number of brochures on a variety of topics related to the zoning ordinance.

At the June 6, 2018 Planning & Development Committee meeting, the Committee voted unanimously to send the zoning ordinance amendments as revised at the meeting to Town Council with a recommendation "ought to pass." Those revisions are detailed in the memo online titled "Amendments to Zoning Ordinance – Additional Changes by P&D Committee" which is attached to this memo.



Town of Hampden
Land & Building Services

Memorandum

To: All
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: June 7, 2018
RE: Amendments to Zoning Ordinance – Additional Changes by P&D Committee

This memo describes the additional revisions made to the proposed amendments to the zoning ordinance by the Planning & Development Committee at their June 6, 2018 meeting.

To correct inconsistencies in the language for cluster housing:

1. To clarify that multi-family (3- or 4-unit) buildings must be serviced with public water, add to the end of §4.6.1.1: "and subject to §3.2.1 for projects including multi-family." This applies to all zoning districts.
2. To clarify that the open space requirement for cluster projects with multi-family is as stated in the cluster provisions, add to the end of §3.2.1.3: "except in cluster developments where the provisions of §4.6.2 apply."
3. To be consistent with the density for multi-family between the cluster provisions and the dimensional standards in article 3 (§3.4.2.2), change §4.6.2, maximum density for multi-family in the Rural district, from "NA" to "2". Note that during discussions, the Planning Board had felt that most multi-family developments would be done as site plans and not as cluster developments. To the extent that people want to do a cluster with multi-family in the Rural district, the density should be consistent with that allowed if developed through site plan review. Note the open space requirement under the non-cluster provisions is actually more stringent than in the cluster provisions (40% vs. 30%); this is what the current ordinance requires.
4. To allow flexibility in the buffer area around the tract, rename §4.6.4.2 "Utilities and roads" and add to the end: "Roads may be located within the tract buffer provided no portion is closer than 25 feet to the tract boundary and the amount of roadway within the buffer is minimized. The intent is to allow flexibility to account for tract configuration and the location of natural features on the site."

To clarify when a building permit can be issued for a lot within an approved subdivision, change the language as follows:

5.3.1.2 No building permit shall be issued except in conformity with the provisions of this ordinance. However, when a building permit is requested for a lot within a subdivision approved by the Planning Board and recorded in the Penobscot County Registry of Deeds and has not been vacated, a building permit may be issued without compliance with the frontage requirement of §3.4.1.

~~5.3.1.8 Building permits for structures to be located on subdivision lots shall not be issued by the Code Enforcement Officer until the road and infrastructure has been accepted by the Town in accordance with the Town Ways Ordinance.~~

- 5.3.2.1.4 Certificates of occupancy for structures on subdivision lots may only be granted if the public improvements in accordance with the Planning Board approved Subdivision Plan or phase are completed and associated roads, if any, are accepted by the Town Council, or for a private road, approved by the Director of Public Works.

To ease the restriction regarding connection to public water and sewer for multi-family buildings in the Rural district, rewrite the proposed language under §3.2.1, specific use standards for multi-family development as follows:

- 3.2.1.1 All multi-family dwellings must be connected to public water and sewer service, if available within 500' of the parcel, ~~public sewer service~~. In cases where connection to either service cannot be made ~~sewer service is more than 500' away~~, the applicant must submit data to prove that water supply and the land area available for on-site sewage disposal systems can be installed in compliance with the applicable systems (individual or shared) is sufficient to adequately handle all sewage disposal needs, including space designated for a replacement system should the need arise in the future. A When on-site sewage disposal is used, a survey plan must be submitted for review and recorded at the registry of deeds showing the location of the on-site sewage disposal system and any required the replacement system area. When the service line is within 500 feet but the cost to connect, due to physical conditions on or in the ground, render the project financially unfeasible, the permit granting authority may approve a project with on-site water supply or sewage disposal instead of requiring connection to the public system.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Finance Committee and Town Council
FROM: Jim Chandler, Town Manager
DATE: June 14, 2018
RE: Recommended amendments to FY19 Budget

Prior to its adoption of the FY19 Budget, it is recommended that the Council incorporate the revisions described on the attached worksheet.

These revisions would:

- Apply a uniform 2% COLA to non-union and union positions. (This was recommended by the Council at its June 4th referral but was not built into the advertised public hearing notice). This change adds \$17,419 to the expense budget.
- Reduce the street construction budget by \$14,500 to account for the expectation that the top course paving of Schoolhouse Lane will be paid from the FY19 paving budget, rather than the street construction line.
- Increase budgeted revenues for ICMA forfeiture funds by \$25,676 to reflect new information received since the Council's June 4th budget referral.
- Decrease budgeted revenues from the MDOT Local Road Assistance Program by \$856 to reflect new information received since the Council's June 4th budget referral.

The combined net effect of these revisions would be to reduce the amount required to be raised by taxation by \$21,901.

FY19 Recommended Budget Changes for June 18, 2018**Expense Budget**

<u>Department</u>	<u>Change</u>	<u>Reason</u>
ADMINISTRATION	\$ 3,245	Adjust non-union COLA to 2%
GIS/IT	\$ 562	
PLANNING/ASSESSING	\$ 2,225	
PUBLIC WORKS	\$ 5,505	
SOLID WASTE	\$ 728	
RECREATION	\$ 1,541	
DYER LIBRARY	\$ 1,608	
LURA HOIT POOL	\$ 1,007	
BUILDINGS & GROUNDS	\$ 998	
	<u>\$ 17,419</u>	

Department

Hwy / Street Construction (10-01-30-75)	\$ (14,500)	Estimated cost of top course pavement on Schoolhouse Lane proposed to be reduced from Street Construction budget and paid out of paving budget 10-01-10-70.
	<u>\$ (14,500)</u>	

Combined net effect on Expense Budget: **\$ 2,918.55** Expenses will be reduced by this amount

Revenue Budget

<u>Budget Line</u>	<u>Change</u>	<u>Reason</u>
ICMA Forfeiture (R 01-89)	\$ 25,676	Update projected revenues per actual (info from ICMA received 6/11/18)
Maine Local Road Assistance Program (R 10-25)	\$ (856)	Update projected revenues per actual (letter from MDOT received 6/11/18)
	<u>\$ 24,820</u>	

Combined net effect on Revenue Budget: **\$24,820.00** Revenues will be increased by this amount

Total Budget Impact (General Fund)

Combined net budget impact: **\$ 21,901** This amount will be reduced from total budget



**TOWN OF HAMPDEN
PROPOSED FY19 BUDGET
FOR CONSIDERATION AT A PUBLIC HEARING
ON JUNE 18, 2018**

ACCOUNT NUMBER	ACCOUNT NAME	APPROVED BUDGET FY18	PROPOSED BUDGET FY19	Recommended Revisions	Proposed Revised Budget	Proposed Change
		<i>Town Council</i>	<i>Town Council</i>	<i>Manager, June 14</i>	<i>June 18, 2018</i>	<i>FY18 to FY19</i>
01-01	ADMINISTRATION	\$ 585,659	688,109	3,245	691,354	105,695
01-02	GIS/IT	\$ 116,195	117,622	562	118,184	1,989
01-03	COMMUNICATIONS	\$ 22,342	22,325		22,325	(17)
01-05	TOWN COUNCIL	\$ 30,308	30,308		30,308	(0)
01-10	MUNICIPAL BUILDING	\$ 103,579	119,403		119,403	15,824
01-15	TAX COLLECTOR	\$ 7,932	8,350		8,350	418
01-20	ELECTIONS	\$ 11,484	10,244		10,244	(1,240)
01-25	PLANNING/ASSESSING	\$ 285,487	296,763	2,225	298,988	13,502
01-30	ECONOMIC DEVELOPMENT	\$ 3,500	-		-	(3,500)
05-01	POLICE	\$ 1,093,054	1,126,571		1,126,571	33,517
05-05	FIRE DEPARTMENT	\$ 1,147,215	1,191,099		1,191,099	43,885
05-10	PUBLIC SAFETY	\$ 202,783	206,241		206,241	3,458
06-06	NON-DEPARTMENT UTILITIES	\$ 558,272	649,432		649,432	91,160
10-01	PUBLIC WORKS	\$ 1,645,626	2,043,804	(11,495)	2,032,309	386,682
10-05	MUNICIPAL GARAGE	\$ 50,085	54,410		54,410	4,325
10-10	STORMWATER MANAGEMENT	\$ 72,345	43,860		43,860	(28,485)
15-10	SOLID WASTE	\$ 376,514	376,938	728	377,666	1,152
20-01	RECREATION	\$ 192,761	196,457	1,541	197,998	5,237
20-05	RECREATION - PROGRAMS	\$ 192,459	221,884		221,884	29,425
20-07	RECREATION - SKEHAN CENTER	\$ 123,234	134,329		134,329	11,095
20-10	DYER LIBRARY	\$ 249,267	266,116	1,608	267,724	18,458
20-20	LURA HOIT POOL	\$ 325,892	345,582	1,007	346,589	20,697
20-25	MARINA	\$ 350	850		850	500
25-10	THE BUS	\$ 89,911	106,352		106,352	16,441
30-10	BUILDINGS & GROUNDS	\$ 233,092	235,223	998	236,221	3,129
38-10	OUTSIDE AGENCIES	\$ -	9,500		9,500	9,500
40-10	GENERAL ASSISTANCE	\$ 7,000	6,000		6,000	(1,000)
50-10	DEBT SERVICE	\$ 314,398	331,545		331,545	17,147
67-10	TIF	\$ 319,573	323,085		323,085	3,512
3-00-00	RESERVES	\$ 451,941	493,742		493,742	41,801
GROSS	MUNICIPAL BUDGET TOTAL	\$ 8,812,257	9,656,143	419	9,656,562	844,305



**TOWN OF HAMPDEN
PROPOSED FY19 BUDGET
FOR CONSIDERATION AT A PUBLIC HEARING
ON JUNE 18, 2018**

(cont'd from previous page)

		APPROVED BUDGET		PROPOSED BUDGET	Recommended		Proposed Revised	Proposed
		FY18		FY19	Revisions		Budget	Change
		<i>Town Council</i>		<i>Town Council</i>	<i>Manager, June 14</i>		<i>June 18, 2018</i>	<i>FY18 to FY19</i>
LESS	MUNICIPAL REVENUES	\$	4,165,194	4,360,047	24,820		4,384,867	219,673
= NET	MUNICIPAL BUDGET AMOUNT	\$	4,647,063	5,296,096			5,271,695	624,632
65-10	RSU #22 TAXATION AMOUNT	\$	6,370,594	6,941,926			6,941,926	571,332
45-10	COUNTY TAXATION AMOUNT	\$	834,723	911,927			911,927	77,204
TOTAL TAXATION REQUIREMENT			11,852,381	13,149,949			13,125,548	1,273,167

As proposed the FY 2019 Budget results in an estimated tax rate of \$ **TBD** per thousand. The mil rate will be set in August 2018 after all new valuation has been considered. Copies of the proposed FY19 Budget are available at the Hampden Town Office and at www.hampdenmaine.gov.

Hampden

Proposed FY19 Budget - REVENUES

		FY18 APPROVED	FY19 PROJECTED	Recommended	FY19 ADJUSTED
				Revisions	
Dept: 01	GENERAL GOVT	\$ 3,112,270	\$ 3,327,429	\$ 25,676	\$ 3,353,105
Dept: 05	PUBLIC SAFETY	\$ 326,665	\$ 360,490		\$ 360,490
Dept: 10	PUBLIC WORKS	\$ 74,416	\$ 76,960	\$ (856)	\$ 76,104
Dept: 15	SOLID WASTE	\$ 149,625	\$ 60,300		\$ 60,300
Dept: 20	RECREATION/CULTURE	\$ 502,218	\$ 534,868		\$ 534,868
		\$ 4,165,194	\$ 4,360,047	\$ 24,820	\$ 4,384,867



Paula S

Testamony
for public
hearing

iv>

Re: Bus Service Input

2 messages

Angus Jennings <townmanager@hampdenmaine.gov>
To: Robert Shoppe <bshoppe@icloud.com>
Bcc: clerk@hampdenmaine.gov

Thu, May 31, 2018 at 10:00 PM

Mr. Shoppe,

Thank you for sharing your thoughts, which will be shared with the Town Council and entered into the record for the public hearing on the budget.

We maintain email lists for interested persons in topics of interest, and will keep you apprised regarding discussion of the Bus in public meetings.

Thanks again,
Angus

On Thursday, May 31, 2018, Robert Shoppe <bshoppe@icloud.com> wrote:
Mr. Jennings,

I am writing to express my thoughts about the bus service in Hampden. For the last eleven years I have used the bus on a daily basis to get and from work. I use the bus because of a visual impairment. I was unable to attend the meeting that allowed residents to express their concerns about possibly not having this service going forward. For me, not having this service would cause great hardship for me. I hope you will forward this email on to the members of the town council before they decide not to fund this service. I would favor a reduction in hours to three in the early morning and three in the late afternoon, as was the case when we be service first began many years ago, in stead of total elimination of the service.

Thank you for reading this email.

Bob Shoppe
351 Main Road North

Sent from my iPhone

Angus Jennings
Town Manager

Town of Hampden
106 Western Avenue
Hampden, ME 04444
(207)-862-3034
townmanager@hampdenmaine.gov

Please check out our new website: www.hampdenmaine.gov

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town Business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return email. Thank you for your cooperation.

Angus Jennings <townmanager@hampdenmaine.gov>
To: Town Council <towncouncil@hampdenmaine.gov>
Cc: Paula Scott <clerk@hampdenmaine.gov>

Thu, May 31, 2018 at 10:11 PM

Town of Hampden
MASTER TALLY SHEET
Hampden Special Municipal Election
Tuesday, June 12, 2018

QUESTION ONE: Candidate at-large, unexpired term	
WRIGHT, SHELBY	587
CLARK, RENEE	256
JARVI, ERIC	513
COLFORD, ANDREW	143
BLANKS	180
TOTAL VOTES CAST	1679

QUESTION TWO: Sewer Bond Referendum	
YES	1083
NO	390
BLANKS	206
TOTAL VOTES CAST	1679

TOTAL NUMBER OF BALLOTS CAST	1679
TOTAL NUMBER OF ELIGIBLE VOTERS TOWNWIDE	5728
PERCENTAGE OF VOTER TURNOUT	.29

Town of Hampden
MASTER TALLY SHEET
School Budget Validation Referendum Election
Tuesday, June 12, 2018

QUESTION ONE: SCHOOL BUDGET VALIDATION	
YES	1064
NO	478
BLANKS	89
OVERVOTES	
TOTAL VOTES CAST	1631

QUESTION TWO: NON-BINDING ADVISORY	
TOO HIGH	486
ACCEPTABLE	790
TOO LOW	103
BLANKS	202
OVERVOTES	0
TOTAL VOTES CAST	1488

TOTAL NUMBER OF BALLOTS CAST	1631
TOTAL NUMBER OF ELIGIBLE VOTERS TOWNWIDE	5728
PERCENTAGE OF VOTER TURNOUT	.28

06/12/2018--PRIMARY 2018
WARDEN'S RETURN OF VOTES CAST - DEMOCRATIC

MUNICIPALITY: HAMPDEN - 1 (1-1)

TOTAL BALLOTS CAST: Record the total number of State ballots cast (if no votes were cast, write "none" or "0").

Total Number of Ballots Cast: 662

GOVERNOR

DISTRICT ATTORNEY (District 5)

<u>178</u>	COTE, ADAM ROLAND
<u>5</u>	DION, DONNA J.
<u>14</u>	DION, MARK N.
<u>115</u>	EVES, MARK W.
<u>243</u>	MILLS, JANET T.
<u>4</u>	RUSSELL, DIANE MARIE
<u>74</u>	SWEET, ELIZABETH A.
<u>0</u>	VACHON, J. MARTIN (Declared Write-In)
<u>29</u>	BLANK

<u>13</u>	BELISLE, JOSEPH P. (Declared Write-In)
<u>649</u>	BLANK

REP. TO CONGRESS (District 2)

<u>14</u>	FULFORD, JONATHAN S.
<u>181</u>	GOLDEN, JARED F.
<u>32</u>	OLSON, CRAIG R.
<u>389</u>	ST. CLAIR, LUCAS R.
<u>46</u>	BLANK

UNITED STATES SENATOR

<u>448</u>	RINGELSTEIN, ZAK
<u>214</u>	BLANK

STATE SENATOR (District 10)

<u>567</u>	LIPPINCOTT, WILLIAM J.
<u>95</u>	BLANK

REP. TO THE LEGISLATURE (District 101)

<u>552</u>	DAVITT, JAMES E.
<u>110</u>	BLANK

JUDGE OF PROBATE

<u>567</u>	FAIRCLOTH, AMY LEWIS
<u>95</u>	BLANK

COUNTY TREASURER

<u>543</u>	TREMBLE, DANIEL J.
<u>119</u>	BLANK

1.

Paula A. Scott
Warden's Signature

2.

[Signature]
Election Official's Signature

The Warden must immediately deliver the completed and signed RETURN to the MUNICIPAL CLERK.

06/12/2018--PRIMARY 2018
WARDEN'S RETURN OF VOTES CAST - REPUBLICAN

MUNICIPALITY: HAMPDEN - 1 (1-1)

TOTAL BALLOTS CAST: Record the total number of State ballots cast (if no votes were cast, write "none" or "0").

Total Number of Ballots Cast: 731

GOVERNOR

<u>73</u>	FREDETTE, KENNETH WADE
<u>214</u>	MASON, GARRETT PAUL
<u>117</u>	MAYHEW, MARY C.
<u>299</u>	MOODY, SHAWN H.
<u>28</u>	BLANK

UNITED STATES SENATOR

<u>372</u>	BRAKEY, ERIC L.
<u>227</u>	LINN, MAX PATRICK
<u>132</u>	BLANK

REP. TO CONGRESS (District 2)

<u>626</u>	POLIQVIN, BRUCE
<u>105</u>	BLANK

STATE SENATOR (District 10)

<u>604</u>	GUERIN, STACEY K.
<u>127</u>	BLANK

REP. TO THE LEGISLATURE (District 101)

<u>665</u>	HAGGAN, DAVID G.
<u>66</u>	BLANK

COUNTY TREASURER

<u>589</u>	HIATT, JOHN DAVID
<u>142</u>	BLANK

REGISTER OF DEEDS

<u>597</u>	BULAY, SUSAN F.
<u>134</u>	BLANK

SHERIFF

<u>614</u>	MORTON, TROY J.
<u>117</u>	BLANK

DISTRICT ATTORNEY (District 5)

<u>614</u>	LYNCH, MARIANNE
<u>117</u>	BLANK

1. 
Warden's Signature

2. 
Election Official's Signature

The Warden must immediately deliver the completed and signed RETURN to the MUNICIPAL CLERK.

06/12/2018--PRIMARY 2018

WARDEN'S RETURN OF VOTES CAST - GREEN INDEPENDENT

MUNICIPALITY: HAMPDEN - 1 (1-1)

TOTAL BALLOTS CAST: Record the total number of State ballots cast (if no votes were cast, write "none" or "0").

Total Number of Ballots Cast: 27

REP. TO THE LEGISLATURE (District 101)

23

DOWNS, ROBIN M.

4

BLANK

1.

Paula A. Scott

Warden's Signature

2.

Chris Mullett

Election Official's Signature

The Warden must immediately deliver the completed and signed RETURN to the MUNICIPAL CLERK.

**06/12/2018--PRIMARY REFERENDUM
WARDEN'S RETURN OF VOTES CAST**

MUNICIPALITY: HAMPDEN - 1 (1-1)

TOTAL BALLOTS CAST: Record the total number of State ballots cast (if no votes were cast, write "none" or "0").

Total Number of Ballots Cast: 11681

QUESTION 1: PEOPLE'S VETO

835 YES

815 NO

31 BLANK

1. Paula A. Scott
Warden's Signature

2. [Signature]
Election Official's Signature

The Warden must immediately deliver the completed and signed RETURN to the MUNICIPAL CLERK.



D-5-a & b

Recreation Department-Skehan Recreation Center

To: Hampden Town Council Services Committee
Town Manager Jim Chandler
From: Recreation Director Shelley Abbott
CC: PW Director Sean Currier
Date: 6/4/2018
Re: Recreation Area Reserve Account 3-767-00

Comments: I am requesting authorization to use Recreation Area reserve account number 3-767-00 for the purpose of the following items:

Repair to Outdoor Basketball Courts (3 Courts) at VFW Drive \$15871.00

D-5-a

760" of structural crack repair-includes resurfacer coat, sport coating, and line touch up in repaired areas only. Repair system being applied carries a 2 year warranty.

This is similar to the repair that was authorized in the summer of 2016 for repairs to the VFW Tennis Courts. At that time we had a standard crack fill done which was a temporary solution in anticipation of this more expensive repair in a few years.

Crack repair to VFW Tennis Courts (2 Courts) at VFW Drive \$3651.00

D-5-b

Rubberized crack repair for new cracks. Includes color and line touch up of repaired area. Price only good if done simultaneously with Basketball Court project.

Warranty Repair to VFW Tennis Court (1 Court) at VFW Drive NC

Total Request from Recreation Area Reserve Account 3-767-00 \$19522.00

**Quality Fencing
Residential & Commercial**



(A Division of CCR Sports, Inc.)

Proposal

P. O. Box 6 St. Johnsbury VT 05819
1-802-748-4378 1-800-237-6774
1-802-748-9974 FAX

www.vttennis.com

PROPOSAL SUBMITTED TO Town of Hampden		PHONE 207-862-6451	Fax	DATE 6/4/2018
SHELLEY ABBOTT recreation@hampdenmaine.gov		JOB Basketball RiteWay Repair		
STREET P.O. Box 219 - 106 Western Ave.		JOB LOCATION Hampden, ME		
CITY, STATE, AND ZIP CODE Hampden, ME 04444		18159		
		Three (3) Basketball Courts		

We hereby submit specifications and estimates to:

Work to be completed: Three (3) Basketball Courts Crack Repair

- Clean entire surface with compressed air.
- Clean & fill of structural cracks with concrete fortified with E330 Acrylic Binder.
- Supply & install approx. 760' of Rite Way Crack Repair System to structural cracks on playing areas of tennis courts.
- Total crack repaired areas to receive one (1) coats of Premier Sports Resurfacer. This will fill surface voids and act as a prime coat for the color system. (Manufacture Specification.) Material manufactured by California Sports Surfaces.
- Total repaired areas to receive three (3) coats of Premier Sports Coatings. Colors to be Dk. Green and Lt Green Texture coats to contain the proper amount of sand to provide a tough wearing base. Material manufactured by California Sports Surfaces.
- Touch up lines as needed in the repaired areas only.

VT Tennis Court Surfacing warranties cracks repaired with Rite Way Crack Repair for a period of two (2) years. Warranty covers repaired areas only. Lengthening of cracks or new cracks are not covered under this warranty

Price for above work a.- f. : \$15,871.00.

Work to be completed: Two (2) Tennis Crack Repair

- Clean & fill structural cracks with concrete fortified with E330 Acrylic Binder.
- Fill hairline cracks with ELITE-Crack rubberized liquid crack filler.
- Clean surface area with compressed air.
- Touch up repaired cracks with appropriate colors. Color to be Lt. Green and Dk. Green, with the understanding that the colors will not match perfectly.
- Touch up lines as needed in repaired areas only.

Add \$3,651.00. to the pricing above.

Note: This price is good only if completed at the same time as Tennis court work above:

Note: Even though we use the most up to date materials available, cracks repaired with the standard repair method will begin to reappear once the court surface starts to experience cold temperatures.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

As Stated Above _____ dollars (\$ _____)

Payment to be made as follows:

Within 15 days of billing date.

All materials guaranteed as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and any other necessary insurance. Our workers are covered by Workman's Compensation Insurance. Customer agrees to pay 1 1/2% per month (or 18% per annum) interest on sums overdue by 30 days or more and agrees to pay cost of collection and reasonable attorneys fees. This agreement shall be governed and

Authorized
Signature

Mike Verge, Representative

Note: This proposal may be withdrawn by us if not accepted within **90 days**

Acceptance of Proposal

The above prices, specifications and conditions (back side) are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

D-5-b

Quality Fencing
Residential & Commercial



(A Division of CCR Sports, Inc.)

Proposal

P. O. Box 6 St. Johnsbury VT 05819
1-802-748-4378 1-800-237-6774
1-802-748-9974 FAX

www.vttennis.com

PROPOSAL SUBMITTED TO Town of Hampden		PHONE 207-862-6451	FAX	DATE 6/1/2018
SHELLEY ABBOTT EMAIL recreation@hampdenmaine.gov		JOB Basketball Crack Repair		
STREET P.O. Box 219 - 106 Western Ave.		JOB LOCATION Hampden, ME		
CITY, STATE, AND ZIP CODE Hampden, ME 04444		18151		
		Three (3) Basketball Courts		

We hereby submit specifications and estimates to:

Work to be completed: Three (3) Basketball Courts Crack Repair

- Clean & fill structural cracks with concrete fortified with E330 Acrylic Binder. Fill hairline cracks with ELITE-Crack rubberized liquid crack filler.
- Clean surface area with compressed air.
- Touch up repaired cracks with appropriate colors. Color to be Lt. Green and Dk. Green, with the understanding that the colors will not match perfectly.
- Touch up lines as needed in repaired areas only.

Price for above work a.- d. : \$4,395.00.

Work to be completed: Two (2) Tennis Crack Repair

- Clean & fill structural cracks with concrete fortified with E330 Acrylic Binder. Fill hairline cracks with ELITE-Crack rubberized liquid crack filler.
- Clean surface area with compressed air.
- Touch up repaired cracks with appropriate colors. Color to be Lt. Green and Dk. Green, with the understanding that the colors will not match perfectly.
- Touch up lines as needed in repaired areas only.

Add \$3,651.00. to the pricing above.

Note: This price is good only if completed at the same time as Tennis court work above:

Note: Even though we use the most up to date materials available, cracks repaired with the standard repair method will begin to reappear once the court surface starts to experience cold temperatures.

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

As Stated Above _____ dollars (\$ _____)

Payment to be made as follows:

Within 15 days of billing date.

All materials guaranteed as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and any other necessary insurance. Our workers are covered by Workman's Compensation Insurance. Customer agrees to pay 1 1/2% per month (or 18% per annum) interest on sums overdue by 30 days or more and agrees to pay cost of collection and reasonable attorneys fees. This agreement shall be governed and

Authorized
Signature

Mike Verge, Representative

Note: This proposal may be withdrawn by us if not accepted within **90 days**

Acceptance of Proposal

The above prices, specifications and conditions (back side) are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____



D-5-C

MEMO

To: Jim Chandler, Town Manager & Hampden Town Council
From: Kyle Severance, GIS-IT Specialist
Date: 06-14-18
Re: Request to Use IT Computer Reserve Funds to Purchase Surface Pro Tablet for new Town Manager 03-711-00

Message:

Our new town manager has requested a tablet that can run Microsoft Office 365. The recommended solution is a Microsoft Surface Pro. Microsoft Office is much more compatible on a Surface than an Apple Ipad which is why I recommend the new device and repurposing existing Ipad. Please find the quote from CDW-G on the following page.

Requested authorization to purchase:

\$1,415.85 for the purchase of a Surface Pro Tablet Computer from IT Computer Reserve 03-711-00

I would be happy to answer any questions you may have. Thank you for your consideration,

Kyle Severance

QUOTE CONFIRMATION



DEAR ,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
1BVK58H	6/14/2018	FOR NEW TOWN MANAGER	896923	\$1,415.85

IMPORTANT - PLEASE READ

Special Instructions: Beginning of customer text:
Order completion dependent upon
council approval 6/18.
End of customer text.

Additional Information:

Cost Center: 03-0-0711

QUOTE DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Microsoft Surface Pro LTE - 12.3" - Core i5 7300U - 8 GB RAM - 256 GB SSD Mfg. Part#: GWP-00001 UNSPSC: 43211509 Contract: Sourcewell Formerly NJPA 100614#CDW Tech Catalog (100614#CDW)	1	4784237	\$1,243.20	\$1,243.20
UAG Rugged Case for Surface Pro, Surface Pro 4, & Surface Pro LTE - Black - Mfg. Part#: UAG-SFPRO4-BLK-VP UNSPSC: 53121705 Contract: Sourcewell Formerly NJPA 100614#CDW Tech Catalog (100614#CDW)	1	3866218	\$65.05	\$65.05
Microsoft Surface Pro Type Cover (M1725) - keyboard - with trackpad, accels Mfg. Part#: FMN-00001 UNSPSC: 43211706 Contract: Sourcewell Formerly NJPA 100614#CDW Tech Catalog (100614#CDW)	1	4634736	\$107.60	\$107.60

PURCHASER BILLING INFO		SUBTOTAL	\$1,415.85
Billing Address: TOWN OF HAMPDEN ACCTS PAYABLE 106 WESTERN AVE HAMPDEN, ME 04444-1436 Phone: (207) 862-4500 Payment Terms:		SHIPPING	\$0.00
		GRAND TOTAL	\$1,415.85
DELIVER TO Shipping Address: TOWN OF HAMPDEN 106 WESTERN AVE HAMPDEN, ME 04444 Phone: (207) 862-4500 Shipping Method: UPS Ground		Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	